1	TERRENCE M. JACKSON, ESQ. Nevada Bar 00854					
2	Law Office of Terrence M. Jackson 624 Ninth Street Las Vegas, Nevada 89101 Off:(702)386-0001 / Fax:(702)386-0085					
3						
4	Attorney for Defendant, Harold E. Call					
5	Autorney for Defendant, Harold E. Call					
6	UNITED STATES D	ISTRICT COURT				
7						
8	DISTRICT OF NEVADA					
9						
10	UNITED STATES OF AMERICA,					
11	Plaintiff,	Case No.: 2:09-C				
12	v.					

HAROLD E. CALL,

Case No.: 2:09-CR-00079-KJD-RJJ

JOINT STIPULATION TO VACATE TRIAL DATE (Fourth Request)

Defendant.

Pursuant to this Court's Rules 45-1 and 45-4, the parties respectfully request that the Court approve this stipulation to extend the trial date in this case. At the present time, trial is set to commence on March 22, 2010. The parties respectfully request that the Court (1) vacate the current trial date, (2) approve this stipulation and (3) continue trial ninety (90) days to and until a date that is convenient for the Court but <u>no earlier than</u> June 19, 2010. Continuance of the current trial date is necessary for the following reasons:

1. Additional time is necessary for pretrial preparation, investigation, and filing of pretrial motions and such time is essential to be adequately prepared for trial and to explore the possibility of pretrial resolution of Mr. Call's criminal charges which, if successful, will obviate the need for trial. Counsel for the United States has agreed that if the stipulation is granted for a pending offer to remain open until April 16, 2010, but no later.

28 ///

1	2.	Counsel for the Defendant, cur	rrently out of custody, has spoken to the Defendant, and	
2	the Defendant has no objection to the requested continuance.			
3	3.	3. Both parties agree to the continuance sought herein.		
4	4.	4. Disapproval of this request for continuance could result in a miscarriage of justice		
5	and, therefore, approval is warranted.			
6	5.	Approval of this stipulation will <u>not</u> violate Defendant's speedy trial rights because		
7	the parties specifically agree that the additional time requested by this motion should be excluded			
8	in computing the time within which the trial relating to this matter must commence pursuant to the			
9	Speedy Trial Act, 18 U.S.C. §3161(h)(1)(F) and Title 18, U.S.C. §3161(h)(8)(A), considering the			
10	factors under Title 18 U.S.C. §§ 3161(h)(8)(B)(i) and (iv).			
11	7. This is the Fourth Request for a continuance in this case.			
12	<u>Conclusion</u>			
13	For the reasons set forth above, the parties respectfully request that the Court approve this			
14	stipulation seeking a continuance of the current trial date to and until a date no earlier than June 19,			
15	2010 that is convenient for the Court. In accordance with Local Rule 45-4, a proposed Order is			
16	attached herewith.			
17	RESPECTFULLY SUBMITTED, this 26th day of February 2010.			
18				
19			DANIEL G. BOGDEN United States Attorney	
20			Office States Patientey	
21	By: /s/ Te	rrence M. Jackson	By: /s/ Gregory Damm	
22	TERRENO Nevada Ba	CE M. JACKSON, ESQ. ar No. 00854	J. GREGORY DAMM, ESQ. Assistant United States Attorney	
23	624 Ninth		333 Las Vegas Blvd. So., Fifth Floor Las Vegas, Nevada 89101	
24	(702) 386-	0001/ (702) 386-0085	(702) 388-6336/ (702) 388-6418	
25	Dated Feb	ruary 26, 2010	Dated February 26, 2010	
26	Attorney f	or Defendant, CALL	Attorneys for Plaintiff, United States of America	
27				
28				

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5	Attorney for Defendant, Harold E. Call		
6	UNITED STATES DISTRICT COURT		
7	DISTRICT OF NEVADA		
8			
9	UNITED STATES OF AMERICA,		
10	Plaintiff,		
11	v.	Case No.: 2:09-CR-00079-KJD-RJJ	
12	HAROLD E. CALL,		
13	Defendant.		
14			
15		_	
16	<u>ORDER</u>		
17	The Court having reviewed the "Joint Stipulation To Continue Trial Date," filed by th		
18	parties, it is hereby ordered that the stipulation is approved. In granting this approval, the Cour		
19	makes the following enumerated findings of fact:		
20	1. Defense counsel, Terrence M. Jackson, Esquire, is requesting additional time for		
21	pretrial preparation, investigation, and filing of pretrial motions and such time is essential to be		
22	adequately prepared for trial and to explore	the possibility of pretrial resolution of Mr. Call's	
23	criminal charges which, if successful, will obv	iate the need for trial. Counsel for the United States	
24	has agreed that if the stipulation is granted for a pending offer to remain open until April 16, 2010		
25	but no later.		
26	2. Counsel for the Defendant, curr	rently out of custody, has spoken to the Defendant,	
27	and the Defendant has no objection to the requested continuance.		

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Both parties agree to the continuance sought herein.

3.

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1	4. Denial of this request for continuance could result in a miscarriage of justice and,			
2	therefore, approval is warranted.			
3	5. Approval of this stipulation will <u>not</u> violate Defendant's speedy trial rights because			
4	the parties specifically agree that the additional time requested by this motion should be <u>excluded</u>			
5	in computing the time within which the trial relating to this matter must commence pursuant to the			
6	Speedy Trial Act, 18 U.S.C. §3161(h)(1)(F) and Title 18, U.S.C. §3161(h)(8)(A), considering the			
7	factors under Title 18 U.S.C. §§ 3161(h)(8)(B)(i) and (iv).			
8	7. This is the Fourth Request for a continuance in this case.			
9	<u>Conclusion</u>			
10	In light of the foregoing factual findings, the Court concludes that the ends of justice would			
11	be best served by a continuance of the trial date in this matter. Accordingly, the previous trial date			
12	of March 22, 2010 at the hour of 9:00 AM is hereby vacated and trial in this case is continued to and			
13	until April 19, 2010, and shall commence at the following time 9:00 a.m.			
14	The previous calendar call of March 16, 2010 at 9:00 AM is hereby vacated and the calendar call in			
15	this case is continued to and until April 13, 2010, and shall commence at the following			
16	time 9:00 a.m. Exhibit lists, proposed voir dire, proposed jury instructions and trial			
17	briefs shall be due April 14, 2010.			
18				
19	/S/ KENT J. DAWSON			
20	UNITED STATES DISTRICT JUDGE			
21	Dated: March 11, 2010.			
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